



**Regular Board Meeting
ROSS TOWNSHIP
KALAMAZOO COUNTY, MICHIGAN
July 18, 2023 @ 6:00pm**

Attendee Name	Title	Roll Call Status
Christina Hutchings	Supervisor	Present
Alexander Harris	Clerk	Present
Syndee Genung	Treasurer	Present
Diana Langshaw	Trustee	Present
Michael Bekes	Trustee	Present
Lynn Harmon	Trustee	Present
Mike Sulka	Trustee	Present
Rob Thall	Attorney	Present

Attendance were about 20 interested people.

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

The Pledge of Allegiance was recited.

Agenda

Motion: Move ARPA [discussion](#) to the end of the meeting, Cancel mail meter [ARPA](#) update, Add Allendale [discussion-revise](#), Add [discussion on](#) Noise [Ordinance-complaint](#).

Moved by: Trustee Bekes Seconded by: Trustee Langshaw

Vote: All ayes

Result: Carried

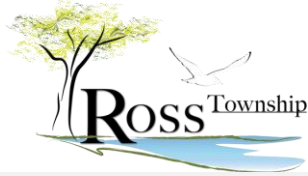
Consent Agenda

Original Motion: Accept the consent agenda, pull out the June 20th and June 28th minutes.

Moved by: Trustee Bekes Seconded by: Trustee Harmon

Vote: All ayes

Result: Carried



June 20th and 28th minutes

Motion: To accept the minutes with the Amendments made by the ~~board~~Board.

Moved by: Trustee Harmon Seconded by: Trustee Langshaw

Vote: 6 ayes, 1 nay

Result: Carried

Public Comment

Valli McDougale – Questioned the Clerk's ~~abilities to run a regarding privacy private~~ and ~~secure ity of the~~ Election. ~~Offered several concerns relating to Clerk's inability to work with the Township Board and perceived refusals to work positively with residents and the Township Board members.~~

Pat Doran – ~~Stated she felt~~ Leaders are causing havoc in community on the Clerk witch hunt. ~~She felt the~~ Police Chief threatened her, and has reported this to ~~board~~Board members with no response.

Jean Hanson – Home is near the bay, could hear the noise and feel the vibration from live music ~~on~~ ~~Thursday evenings at Teddy's Landing~~. Referenced Noise Ordinance #200 ~~should be enforced~~.

Tom Boyd – Was a Human Resources Vice President for Kraft foods, disagrees with the Clerk being defiant and thinks he is causing the hostile work environment. Commends those that have tried to help the Clerk. Finds his behavior deplorable, in the private sector ~~the Clerk would be terminated for the way he is treating members of the Board and for his openly argumentative displays. if not remedied.~~

Russel Fry – Gull Lake was founded with the intention of a 'Resort Community', Music & Dancing at the Dock is ~~within average also part of the Noise Ordinance and people accept that;~~ ~~the Noise Ordinance can be subjective when you~~ compare Saint Ann's ~~Church~~ Bells or Gull ~~lake-Lake~~ Band ~~practicing~~ probably ~~does exceed the Noise Ordinance explanations of violations. do not meet some of the noise requirements.~~ We enjoy all of these.

Jean Gemrich – Not a resident, but owns property ~~in Ross Township~~, and pays an additional 18mils. Speaking on behalf of her hair stylist, ~~for Voting,~~ ~~both residents applied for absentee voter applications from the Clerk.~~ ~~The~~ wife received application, ~~the~~ husband did not. ~~The Clerk stated they n~~Needs to get in contact with the Clerk ~~directly~~.

Connie Lavender – Spoke about the right people have to video/audio record within the office ~~as a first amendment right, however it has been used threateningly,~~ Supported this right be waived due to potential eaves dropping ~~on residents having conversations with others at the front window, and the Clerk clearly using his cell phone to video record her while she was having a conversation with the Office Manager about Township business.~~ Disagreed with the ~~Concern-concern one resident had people have~~ with Chief Brown raising his voice ~~towards residents~~, she thought he was speaking loud due to construction noise ~~in the background on the recording the resident took of her interaction with the Police Chief telling her not to remove Miss Dig flags again.~~



Dean Bostwick – Came into the office today to talk with the Office Manager, then talked with the Clerk and asked yes or no questions about his personal voter identity or voter records being in the Clerk's personal residence. The Clerk did not respond with a yes or no answer as resident wanted. Instead the Clerk refused to give yes or no answers. The Clerk offered his own sentences and said that he stuffed envelopes at home, and does not have any personal information on his personal computer.

John Spencer – District Representative for Matt Hall. He handed out information and business cards. Stating that he can be a direct line of communication to the State Matt Hall's office. Can go to bat for you

Ed McCarty – Lifelong resident, Hhe does hire music for the community to come together at Teddy's landing-Landing every Thursday evening. The music is, not very loud with only one amplifier. He has used a decibel mal meter reading 70 at his property line.

Scott Hutchings –Disagreed with how the Clerk campaigned back in August 2022, they talked in the his personal driveway after the Clerk being delivered his campaign flyer to in his mailbox, he thinks this was illegal activity. Stated everyone's Ppast Bbehavior produces- predicts ffuture Bbehavior and the Clerk's lying to him while he was campaigning is a reflection of the Clerk's integrity and character.

Stephanie Walbridge – Was in contact the with Clerk regarding minutes, via email, talked 3 different times on the phone. Said the Clerk's only method of communicating with residents is not working because she has asked several times for information from the Clerk and is being ignored. Wants a copy of Viewshed ordinance-Ordinance when it is ready. Also would like to see who votes yes or no on the minutes and suggested roll call votes are contained in the final Minutes.

Minutes Vote

Motion: Hence forth and further more record who voted and how, not just roll call.

Moved by: Trustee Harmon Seconded by: Trustee Sulka

Roll Call: Bekes Aye, Langshaw Aye, Genung Aye, Hutchings Aye, Harmon Aye, Harris Nay, Sulka Aye.

Result: Carried

Ross Township Police Chief Martin Brown

Gull Lake Sewer and Water could file a criminal complaint towards the resident who pulled up Miss Dig flags, vandalizing their another neighbor's own property because she did not agree with the sewer connection activities going on.

Radar has been installed on the police car. Put out 2 speed trailers to write citations for anyone with heavy foot in Ross Township.

Sand bar has 95% good cooperative people, there are a few individuals who choose not to be in compliance with the Noise Ordinance and they will be given citations.



The Police Department will purchase a ~~decimal~~ decibel meter to record the ~~decimal~~ level of noise on Thursday nights at Teddy's Landing. An analysis will take place with Chief Martin and he will submit his observations and decibel readings to the Township Attorney who will advise if the Noise Ordinance should be revisited for editing.

- ❖ Clerk Harris asked the ~~board~~ Board, what is the process for residents if they have complaints towards the Police Chief, as he is an employee of the Township? .
- ❖ Supervisor Hutchings responded any complaints towards the Police Chief go to the Supervisor who will investigate, or be referred to the Ethics Ordinance for potential investigation. -go directly to him.
- ❖ Trustee Sulka noted the Ethics ~~ordinance~~ Ordinance should also cover ~~that~~ resident complaints.

LifeCare – Ambulance service

Have been hiring former employees and W w will reinstate 9 hour shift at the Ross Township Hall at 12086 M-89 ~~to have 24 hour coverage.~~

AVB - Jack Gesmundo

Motion: To approve the Supervisor and ~~clerk~~ Clerk to sign off on an amended Conditional Rezoning Agreement with Allendale Park LLC to allow the development of 2 home sites rather than the current 3 home sites.

Moved: Trustee Sulka Seconded: Trustee Harmon

Roll Call: Bekes Aye, Langshaw Aye, Genung Aye, Hutchings Aye, Harmon Aye, Harris Aye, Sulka Aye.

Result: Carried

Sherman Lake Sewer hook up

13 properties need to be connected by September 1st 2023. The Township needs to address this after September 1 deadline via giving the Township Attorney Rob Thall the authorization to proceed via legal proceedings.

Fire Chief Doug Bogema



We need to go over our Fee Recovery Ordinance ~~recovery ordinance, nuisance ordinance~~ and Haz Mat since RAFD assisted Cooper Township for over 14 hours and received no additional compensation. The Township still has to pay the Fire Fighters who assisted in this emergency.

~~RAFD-assisted Cooper for 14hours.~~

Applaud Isaac Schumaker who graduated from the Academy.

Have 2 new hires that will be going through training.

Need to talk with the Kalamazoo County Road Commission or MDOT, to put up flashing yellow lights and signs or road rumble strips at the intersection of G ave and 96th street. There have ~~recently~~ been 20+ accidents at this location this year alone.

ARPA - Fire Department

Motion: Accept the Fire Department ~~using~~ use of their ARPA funds; for three tablets and four MCI bags approved for \$3315. In addition, accept ventilation improvements and procure/install an air conditioner for the Fire Department Training room upstairs at \$10,000 max. All expenditures will be considered ARPA funds.

Moved by: Trustee Bekes Seconded by: Trustee Langshaw

Roll Call: Bekes Aye, Langshaw Aye, Genung Aye, Hutchings Aye, Harmon Aye, Harris Aye, Sulka Aye.

Result: Carried

❖ Supervisor Hutchings and Chief Bogema were identified as project leads.

ARPA - Ross Township Park

Motion: Move to approve the bid by Tustin's Asphalt Sealing for the parking lot repairs and striping for \$2,040 and use ARPA funds to pay for it. This will occur in the Spring of 2024 prior to the park being opened for the season.

Moved by: Trustee Bekes Seconded by: Supervisor Hutchings

Roll Call: Bekes Aye, Langshaw Aye, Genung Aye, Hutchings Aye, Harmon Aye, Harris Aye, Sulka Aye.

Result: Carried

ARPA – Technology for Conference Room



Motion: Move to use \$20,000 ARPA funds to update the audio / visual technology in the Ross Township Hall conference room and add a portable ~~the~~ sound system in the Fire Hall. The conference room upgrade will include a soundy sound system, display screen, wireless keyboard/monitor, camera for zoom meetings and a new mobile podium.

Moved by: Trustee Bekes Seconded by: Trustee Harmon

Roll Call: Bekes Aye, Langshaw Aye, Genung Aye, Hutchings Aye, Harmon Aye, Harris Aye, Sulka Aye.

Result: Carried

ARPA – Ballot Drop Box (ARPA or State reimbursement)

Motion: Move to assign the Clerk the duty to procure and install the needed drop box(es) as soon as possible using ARPA funds to expedite the process. Concurrently, explore the State reimbursement of the cost and if successful, credit the ARPA account accordingly. The Clerk is to report to the Board what the options are and what he suggests.

Moved by: Trustee Bekes Seconded by: Trustee Langshaw

Roll Call: Bekes Aye, Langshaw Aye, Genung Aye, Hutchings Aye, Harmon Aye, Harris Aye, Sulka Aye.

Result: Carried

❖ Clerk Harris check with the State of Michigan for the Election drop box options.

Job Postings: Deputy Clerk and Grant Writer

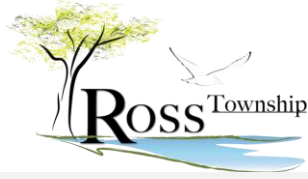
Motion: To approve the postings of the said positions. All seated employees to follow the job description and any motions made in prior board meetings in regard to pay and hours. (\$4,000 in ARPA money for the Grant Writer and hours set for the Deputy Clerk in prior board meetings)

Motion as Amended: Pay changes for Grant Writer: \$25.00hr, Deputy Clerk: Removed from Motion because Clerk wanted a full time Deputy all year, not just during Election season.

Moved by: Trustee Bekes Seconded by: Trustee Langshaw

Roll Call: Bekes Aye, Langshaw Aye, Genung Aye, Hutchings Aye, Harmon Aye, Harris Nay, Sulka Aye.

Result: Carried



Conditional Rezoning Ordinance and Agreement for Day Spa (Byron)

Motion: Move to approve Ordinance 235 – Amendment to Ross Township Zoning Map and Ordinance to Reflect ~~conditional~~Conditional Rezoning and to approve the request by Rebecca and Brandon Byron to construct the proposed Water’s Edge Day Spa on the 4.7 acres located on the south side of M-89 just west of 37th Street in Section 19.

Moved by: Trustee Bekes Seconded by: Supervisor Hutchings

Roll Call: Bekes Aye, Langshaw Aye, Genung Aye, Hutchings Aye, Harmon Aye, Harris Aye, Sulka Aye.

Result: Carried

Williamson FOIA appeal – confidential MEMO referenced in the May 31st publicly released memo

Motion: I move to uphold the disclosure of the May 18, 2023 confidential attorney client privileged memorandum.

Moved by: Trustee Bekes Seconded by: Clerk Harris

Motion as Amended: I move to uphold the denial of disclosure of the May 18, 2023 ~~confidential~~ Confidential attorney-Attorney - eClient privileged memorandum. It has always been a confidential privileged memorandum meant for the Ross Township Board only, and the privilege has not been waived.

Moved by: Trustee Bekes Seconded by: Trustee Harmon

Roll Call: Sulka Aye, Harris Nay, Harmon Aye, Hutchings Aye, Genung Aye, Langshaw Aye, Bekes Aye.

Result: Carried

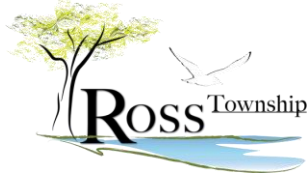
- ❖ Trustee Harmon asked Clerk Harris if he released ~~a~~ the confidential Attorney-Client memo to his Deputy.
- ❖ Clerk Harris answered has the right to retain counsel, with full ~~discloser~~disclosure. This is not the same as releasing. The Clerk would not answer Trustee Harmon.

Zoning Ordinance Amendment regarding “Development Agreements”

Motion: To Accept Zoning Ordinance Text Amendment in Section 1 by adding Section 21.6D, Development Agreement, to the Zoning Ordinance. With changes to the first sentence and last sentence as ~~beard~~Board advised.

Moved By: Trustee Bekes Seconded by: Supervisor Hutchings

Roll Call: Sulka Aye, Harris Aye, Harmon Aye, Hutchings Aye, Genung Aye, Langshaw Aye, Bekes Aye.



Result: Carried

August 15th Board Meeting

Schedule ARPA Special Meeting at 5:30pm, just before the regular scheduled 6:00 Board meeting.

2nd Public Comment

Mary Stage – Has been attending meetings for over a year. Stated the ~~board~~ Board did not ask the Deputy Clerk to resign. The Deputy Clerk quit during his Public Comment time because of something that he disagreed with. Really thinks good minutes are important to tell the full story.

~~Dave Dean~~ Bostwick – In order to work here, the Clerk should not take any ~~no~~ personal information should be taken to his personal home.

Phoebe Moreo – Thank everyone for the progress to get Basic up and running for payroll. Ask Everyone to please get direct deposit set up because it costs extra to cut a paper check instead of people going direct deposit.

Trustee Update

Supervisor Hutchings – Requested the Board take action to move ~~personal~~ personnel files for the retired Police Chief Melody Rugg, Park Staff Hurn, and the bills for Shred it to her possession. The Clerk only provided copies of these files. That's not what the Supervisor wanted. Instead of giving the full files the Supervisor has repeatedly asked for, the Clerk refuses, and keeps re-copying files which are a waste of township resources. The files will be returned to the Clerk once finished.

Attorney Thall has noted that all files should be reviewable by any elected official when asked in a reasonable amount of time, but that does not mean editable.

The Clerk responded with concerns of security due to his feelings of ~~the~~ recent unauthorized entry and his feelings of tampering of closed session confidential files within his office. Being given multiple story lines from Elected Officials of what, when and why those files were tampered with.

Attorney Thall suggested ~~personal~~ personnel files are not the Clerk's responsibility to manage and these can go under anyone.

The Supervisor requested keeping the employee ~~personal~~ personnel files since she supervises all the office and park and police staff.



Clerk Harris – Asked the ~~board~~ Board to apologize for the perceived wrong doing to the recently hired Deputy Clerk and offer back his job at a rate comparable to what the previous contracted Deputy (Tim Snow) was paid. The ~~boards~~ Board's complaints to MSP and MDHHS have not resulted in pursuit of charges, but this by no means exonerates actions or implies dismissed charges since none were ever brought. ~~claims and accusations all being dismissed by both the State Police and MDHHS. The boards political imagination is unethical and they should do the right thing and apologize for discriminating against the Deputy Clerk and intimidating his resignation before a 3rd party verification happened.~~

The Attorney Thall & Trustee Bekes stated nobody asked the Deputy Clerk to resign, the Deputy Clerk quit his job during Public Comment over something he was upset about.

The Clerk responded, the email sent out did ask for immediate resignation, and he asked Trustee Sulka whether this email was sent from him. It was sent to the whole Board via Attorney-Client Memorandum from Attorney Thall. How did his Deputy get the email?

Trustee Sulka responded ~~nothing was he never sent any email sent~~ to the Deputy.

Clerk did not respond with explanation or answer to Trustee Sulka.

Trustee Sulka – Asked the Police Chief for reports from the Richland Police Department contract.

Chief Brown responded that contract should be terminated if there is not a clear reason for the relationship, and that will be found in the call out reports. He will get a meeting with Chief Mattioli and understand the Contract and report back to the Board.

Trustee Sulka asked for budget reports, had not received any from ~~the Supervisor~~ the Clerk for the current quarter, also did not receive any budget reports for the whole 2022-2023.

Supervisor Hutchings responded that volunteer Phoebe Moreo would be helping to do ~~this job for her.~~ Financials but she cannot do both Treasury and General Ledger at the same time due to GAAP limitations.

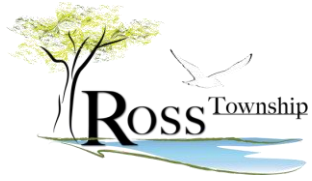
Adjournment 8:50pm

Moved by Trustee Sulka Seconded by: Trustee Bekes

Roll Call: Sulka Aye, Harris Aye, Harmon Aye, Hutchings Aye, Genung Aye, Langshaw Aye, Bekes Aye.

Result: Carried

Respectfully Submitted,



Alexander Harris

Ross Township Clerk